

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.:
)	
Plaintiff,)	
)	
v.)	
)	
JEREMY R. MILLER,)	
)	<u>COMPLAINT</u>
Defendant.)	
)	

This is an action by the United States of America to recover damages and civil penalties from Defendant Jeremy R. Miller for causing false claims to be submitted to the United States Railroad Retirement Board by fraudulently collecting Unemployment Insurance benefits during times when he was gainfully employed.

PARTIES

1. The Plaintiff in this action is the United States of America (“United States”).
2. The Defendant is Jeremy R. Miller, a resident of Mansfield, Ohio (“Defendant”).

JURISDICTION AND VENUE

3. This action is brought by the United States under the False Claims Act, 31 U.S.C. §§ 3729-33.

4. This court has subject matter jurisdiction over this action pursuant to 31 U.S.C. § 3732(a) and 28 U.S.C. § 1345.

5. Venue is proper in this district pursuant to 31 U.S.C. § 3732(a) because the Defendant resides in this district.

FACTS

6. Defendant was employed as a freight conductor for CSX Corporation and was subsequently furloughed from his position.

7. Defendant's railroad service made him eligible to collect Railroad Retirement Board Unemployment Insurance benefits.

8. Upon being furloughed from his employment with CSX, Defendant applied for Railroad Retirement Board Unemployment Insurance benefits on January 17, 2018.

9. As a condition of accepting and receiving Railroad Retirement Board Unemployment Insurance benefits, the recipient cannot collect such benefits on days of employment.

10. From April 23, 2018 to the present, Defendant was employed at Kwest Group, LLC.

11. After his initial application for benefits, and every two weeks thereafter, Defendant was required to fill out and submit a form indicating whether or not he was employed or unemployed for each day in the claim period.

12. From the claim period beginning April 19, 2018 (submitted May 6, 2018) through the claim period beginning December 27, 2018 (submitted January 9, 2019), Defendant knowingly and fraudulently claimed Railroad Retirement Board Unemployment Insurance benefits for days on which he was employed at Kwest Group, LLC.

13. From May 6, 2018 through January 9, 2019, Defendant submitted nineteen (19) false claims to the United States to conceal his employment.

14. As a consequence of the actions of Defendant, \$12,445 in Railroad Retirement Board Unemployment Insurance benefits were paid to Defendant to which he had no right or entitlement.

COUNT I

FALSE CLAIMS ACT - 31 U.S.C. § 3729(a)(1)(A)

15. Plaintiff realleges and readopts the allegations set forth in the preceding paragraphs as if fully rewritten herein.

16. This is a claim for treble damages and civil penalties under the False Claims Act, 31 U.S.C. § 3729(a)(1)(A).

17. By the acts described above, Defendant knowingly caused to be presented to the United States false or fraudulent claims for Railroad Retirement Board Unemployment Insurance benefits.

18. By reason of Defendant's acts, the United States has been damaged.

WHEREFORE, Plaintiff prays that judgment be entered in its favor and against the Defendant on Count I in the amount of triple the Plaintiff's damages plus civil penalties for each false claim as allowed by law against Defendant, plus pre-judgment interest and costs of this action.

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney

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